

TOWN OF RANDOLPH, VERMONT
Events Ordinance
FINAL PC DRAFT 4/17/2025

Pursuant to the provisions of Title 24, Vermont Statutes Annotated, Section 2291 generally, and subsections (11) and (14), as well as 24 V.S.A. Chapter 59, the Selectboard of the Town of Randolph hereby adopts the following ordinance for the purpose of regulating Events taking place in the Town.

Article 1. Purpose

The purpose of this ordinance is to protect the public health, safety, and general welfare of participants, observers, abutters, and other members of the general public, and to protect public and private property, insofar as those people and property may be affected by an Event.

Article 2. Definitions and Descriptions

- 2.1 Event. A temporary use, of a street, sidewalk, parcel of land, a building or portion of a building, or a site that occurs for a limited duration and frequency, with:
 - 2.1.1 estimated attendance of at least 100 people on private property, or
 - 2.1.2 estimated attendance of at least 25 people on public property, or
 - 2.1.3 undue noise, odor, or other impacts detectable beyond property line in a generally sustained manner exceeding 6 hours on more than one day per year, or
 - 2.1.4 undue public safety impacts including but not limited to demand for resources, extended traffic congestion, parking in public right-of-ways, or seasonal road damage.
- 2.2 Minor Event. An Event that
 - 2.2.1 is on private property, and
 - 2.2.2 has a duration of not more than 10 hours on a single calendar day, and
 - 2.2.3 takes place not more than 1 time in any 12 month period, and
 - 2.2.4 has expected attendance of less than 150 people per occurrence, and
 - 2.2.5 in the judgement of the Town Manager or designee, has no reasonable potential for
 - 2.2.5.1 undue noise, odor, or other impacts detectable beyond property lines, or
 - 2.2.5.2 undue public safety impacts described in Article 2.1.4.
- 2.3 Major Event. An Event that
 - 2.3.1 is on public property, or
 - 2.3.2 is on private property but exceeds at least one threshold for a Minor Event.
- 2.4 Duration. The duration of an event includes hours of preparation and cleanup before and after an Event if those activities, in the judgement of the Town Manager or designee, could reasonably be expected to contribute to conditions against which this ordinance aims to protect.
- 2.5 Expected Attendance. Expected attendance at an Event, for the purpose of determining whether an Event is Minor or Major, includes total expected attendees, organizers, and staff on a single calendar day regardless of the timing of their attendance on that day.

- 2.6 Examples. Subject to the foregoing limitations, Events may include, but are not limited to, the following: parade, fair, show, festival, carnival, rally, party, wedding, filming of movie, video or television show, motorcade, run, street dance, bike-a-thon, race, walk, athletic event, circus, carnival, menagerie, play, concert, entertainment, exhibition, celebration, and tent sale.

Article 3. Article III. Exemptions

The following shall be exempt from the requirement to obtain a permit for the event:

- 3.1 Activities that do not meet the thresholds set forth in Article 2.1.
- 3.2 Any event sponsored by the Town or any of the Town's departments.
- 3.3 Any event sponsored by a public school district located on school property.
- 3.4 Any event, structure, site development, establishment, change of use, or other land development that has a permit issued under the Randolph Land Use Regulations, including usual and customary accessory uses.
- 3.5 Events on Town property by an entity that has a lease, license, or use agreement to use the Town property for a purpose that would otherwise require an Event Permit (e.g., private sporting events on Town-owned fields).

Article 4. Zoning Requirements

- 4.1 The following are subject to the requirements of the Randolph Land Use Regulations: Any permanent facilities including but not limited to parking lots, fencing, stages, assembly halls, signage, or storage buildings, or uses including but not limited to indoor or outdoor storage, sales offices, rehearsals or staff training that will not be terminated or removed at the expiration of an Event Permit.
- 4.2 The following, subject to a determination by the Town Manager or designee, shall not be permitted as an Event and shall instead be evaluated as a change in use subject to the Randolph Land Use Regulations, unless otherwise determined by the Selectboard: An event on private property with a duration of more than 4 days cumulatively in a 12-month period, or if actively associated with a home business.

Article 5. Permit Required

- 5.1 Any person desiring to conduct or sponsor an Event shall first obtain an Event Permit from the Town Manager or designee.
- 5.2 Where a series of events are proposed such as performances, weekend sales, or other sequences of events that are not continuous in time, each event in the series shall constitute a separate Event subject to the requirements, enforcement provisions, and limitations herein, but may be permitted through a single application for the series.
- 5.3 An event that does not require a permit must still obtain all other applicable permits and licenses required by Vermont law, and other Town ordinances and/or regulations.

Article 6. Application Requirements

Event applications shall be submitted through the Town Manager's or designee's office, on forms provided by the Town.

6.1 Content

6.1.1 All Event Permit Applications shall provide, at a minimum, the following information:

- 6.1.1.1 Contact. The name of the applicant and/or sponsoring organization, the name, signature, address, telephone number, and email address of the owner(s) of any property on which the event will take place.
- 6.1.1.2 Description. Description of the proposed event to include: a) name, purpose, location, dates, hours of operation including setup and cleanup, and estimated number of attendees.
- 6.1.1.3 Abutter Notification. Unless modified per Article 8.2, names and mailing addresses of property owners abutting the proposed event and a certification by the applicant that they have mailed notification and a copy of the completed application form to all.
- 6.1.1.4 Fee. The filing fee determined by the Selectboard.

6.1.2 Major Event Permit Applications shall also include the following additional information:

- 6.1.2.1 Confirmation of Abutter Notification. Certification by Post Office that abutters have been notified by mail.
- 6.1.2.2 Public Safety Consultation. Information documenting consultation with Town regarding provision of Town personnel, services, and/or facilities needed to maintain public health, safety, and general welfare during the proposed event.
- 6.1.2.3 Annotated Map. An annotated site map(s) or drawings indicating location and schedule of activities, provisions for public safety and sanitation, and sensitive features on abutting properties.

6.2 Timing

- 6.2.1 Applications for Minor and Major events shall be submitted no fewer than 45 days and 60 days, respectively, prior to the commencement of the event.
- 6.2.2 Applications received after these dates will not be considered unless the Town Manager, at his or her sole and complete discretion, makes an exception.

Article 7. Public Safety Consultation and Conditions

- 7.1 Applicants for Major Event Permits shall communicate with Town Public Safety staff prior to submitting their application.
- 7.2 Events shall comply with the adopted fire codes, maintain adequate fire lanes, and have the Fire Chief or designee approve the location and size of all fire lanes, booths, stages, and other structures and equipment.
- 7.3 Major Events may, at the discretion of the Chief of Police or Fire Department, be required to have Public Safety personnel specially and exclusively assigned to the Event. The applicant shall

be responsible for the cost of this coverage, including but not limited to wages, personnel supplies, equipment, vehicles, and materials.

Article 8. Application Review Process

Upon receipt of a complete application for an Event Permit, the Town Manager or designee shall:

- 8.1 Determine whether the proposed Event is Minor or Major.
- 8.2 Determine if the nature of the event warrants deviation from standard notification of abutters.
- 8.3 For Major Events, act to have the application placed on the agenda of the next available Selectboard meeting, and notify the applicant of the time and place of the meeting.
- 8.4 Consult as needed with Town Departments such as Planning, Fire, Police, and Public Works.
- 8.5 Take Administrative action, in accordance with Article 9, on Minor Event applications.

Article 9. Action on Event Permit Applications

The Town Manager, designee, or the Selectboard shall act to approve, conditionally approve, or deny an application for an Event Permit. Minor Event applications shall be acted upon administratively. Major Event applications shall be acted upon by the Selectboard.

- 9.1 Approval. An application may be approved as submitted.
- 9.2 Conditional Approval. An application may be approved with conditions to protect public health, safety and welfare, to ensure compliance with all other applicable Town ordinances, and to ensure that demand on Town services created by the proposed Event can be met. Such conditions may include but are not limited to the following:
 - 9.2.1 limits on duration and hours of operation,
 - 9.2.2 limits on the number of attendees,
 - 9.2.3 requirements for lavatory facilities,
 - 9.2.4 plans for solid waste disposal, recycling and composting,
 - 9.2.5 limits on sound amplification,
 - 9.2.6 restriction or prohibition of open fires,
 - 9.2.7 plans for parking and access, including emergency access,
 - 9.2.8 setbacks from abutters,
 - 9.2.9 requirements for fire protection and event security, and/or
 - 9.2.10 additional notice to surrounding property owners.
- 9.3 Denial. An application may be denied if, after consideration of all information submitted by the applicant or other pertinent information, if it is determined that:
 - 9.3.1 the application is incomplete; or
 - 9.3.2 the applicant has failed to complete the application after having been notified of additional information or documents required; or
 - 9.3.3 the applicant refuses to agree to abide by or comply with all of the conditions and terms of the permit; or
 - 9.3.4 the time, route, hours, location, or size of the proposed Event will unnecessarily disrupt the movement of other traffic within the area; or

- 9.3.5 the proposed Event is of a size or nature that exceeds the ability of Town's Police Department to properly police the event or would otherwise place an undue burden on the Town; or
- 9.3.6 the location of the proposed Temporary Event would cause undue hardship for adjacent businesses or residents; or
- 9.3.7 the proposed Event would endanger public safety or health; or
- 9.3.8 the proposed Event would have an adverse impact on the general public's use of public property, services, or facilities; or
- 9.3.9 the applicant fails to comply with any liability insurance requirements that may be imposed as a condition of any permit; or
- 9.3.10 the proposed Event would create or constitute a public nuisance or would be likely to cause significant damage to public property or facilities; or
- 9.3.11 the proposed Event will generate a level of noise odor or other nuisance that in the judgment of the Selectboard represents an undue burden on abutters; or
- 9.3.12 The applicant has failed to arrange for Public Safety staffing as required herein.

Article 10. Permit Revocation

- 10.1 Any Event Permit issued pursuant to this Ordinance may be revoked by action of:
 - 10.1.1 Town public safety officials, including but not limited to the Fire Chief, Police Chief, or their designee, in their sole and complete discretion and upon their determination that the event an imminent or substantial threat to public health or safety that cannot be immediately remedied upon verbal notice to the event holder, or
 - 10.1.2 The Selectboard, if determined through information obtained following the issuance of a permit, that:
 - 10.1.2.1 the health, safety and welfare of the public or an imminent or substantial threat of damage to public property requires such revocation, or
 - 10.1.2.2 the Event Permit was issued based upon false information, or
 - 10.1.2.3 the permittee has exceeded the scope of the Event Permit and/or any of its conditions.
- 10.2 Notice of the Selectboard meeting and of any action revoking an Event Permit shall be delivered in writing to the permittee by personal service or certified mail at the address specified by the permittee in its application.

Article 11. Penalties.

- 11.1 Violators of this Ordinance may be subject to a civil penalty to be assessed and collected for each violation of this Ordinance.
- 11.2 The following shall constitute separate violations:
 - 11.2.1 Each day during which an Event is held without a permit, or
 - 11.2.2 Each day a violation of an Event Permit continues, or
 - 11.2.3 Each individual instance of noncompliance with provisions of an Event Permit or this Ordinance, or

- 11.2.4 Each unpermitted event attendee above either the capacity authorized by an Event Permit or, for an unpermitted event, above a numeric attendance threshold in Article 2.1.
- 11.3 Civil penalties shall be assessed and collected, and injunctive relief may be sought, in accordance with Title 24, Chapter 59 of the Vermont Statutes Annotated pertaining to civil ordinance penalties and violations.
- 11.3.1 Civil Penalty Amounts. The Town Manager, Selectboard, or their designee is authorized to recover civil penalties in the following amounts for each violation of this Ordinance:
- | | |
|---------------------------------------|-----------|
| First Offense | \$ 250.00 |
| Second Offense | \$ 500.00 |
| Third Offense and subsequent Offenses | \$ 800.00 |
- 11.3.2 Waiver Fee Amounts. The Town Manager, Selectboard, or their designee is authorized to recover a waiver fee, in lieu of a civil penalty, in the following amounts, for any person who declines to contest a municipal complaint and pay the waiver fee:
- | | |
|---------------------------------------|-----------|
| First Offense | \$ 100.00 |
| Second Offense | \$ 250.00 |
| Third Offense and subsequent Offenses | \$ 500.00 |

Article 12. Severability

If any part or portion of this Ordinance is determined to be invalid, such determination and invalidation shall not affect the validity or enforceability of the remaining provisions of this Ordinance.

Article 13. Repeal of Prior Ordinance

Upon the effective date of this Ordinance, the Public Assemblies Ordinance, effective 8/4/1981, shall be repealed and of no further force and/or effect.

Article 14. Effective Date.

This Ordinance shall become effective sixty (60) days following adoption by the Selectboard.